

1 Shaw Mortgage Corporation dba Patiosource & The Natural Touch v. Peerless Insurance  
 2 Company; Golden Eagle Insurance Corporation, Liberty Mutual Insurance Company  
 3 37-2007-00084451-CU-BC-CTL

4 **CERTIFICATE OF PROOF OF SERVICE**

5 I am employed in the County of San Diego, State of California. I am over the age  
 6 of 18 and not a party to the within action. My business address is: Berger Kahn, 10085  
 7 Carroll Canyon Road, Suite 210, San Diego, California 92131.

8 On April 21, 2008, I served the foregoing documents described as:

9 **NOTICE OF MOTION AND MOTION TO DROP GOLDEN EAGLE**  
 10 **INSURANCE CORPORATION AS A SHAM DEFENDANT PURSUANT TO**  
 11 **F.R.C.P. RULE 21; MEMORANDUM OF POINTS AND AUTHORITIES IN**  
 12 **SUPPORT THEREOF; DECLARATION OF DALE A. AMATO**

13 **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION**  
 14 **TO DROP GOLDEN EAGLE INSURANCE CORPORATION AS A SHAM**  
 15 **DEFENDANT PURSUANT TO F.R.C.P. RULE 21**

16 **DECLARATION OF DALE A. AMATO IN SUPPORT OF MOTION TO DROP**  
 17 **GOLDEN EAGLE INSURANCE CORPORATION AS A SHAM DEFENDANT**

18 on the interested parties in this action:

19 Vincent J. Bartolotta, Jr., Esq.  
 20 Karen R. Frostrom, Esq.  
 21 THORSNES BARTOLOTTA McGuire  
 22 2550 Fifth Ave., Eleventh Fl.  
 23 San Diego, CA 92103  
 24 Phone: 619-236-9363  
 25 Fax: 619-236-9653  
 26 Attorney for Shaw Mortgage Corporation  
 27 dba Patiosource & The Natural Touch

28  **BY MAIL**(C.C.P. § 1013(a))—I deposited such envelope(s) for processing in the  
 29 mail room in our offices. I am “readily familiar” with the firm’s practice of  
 30 collection and processing correspondence for mailing. It is deposited with the  
 31 U.S. Postal Service on that same day with postage thereon fully prepaid at San  
 32 Diego, California, in the ordinary course of business. I am aware that on motion  
 33 of a party served, service is presumed invalid if postal cancellation date or postage  
 34 meter date is more than one day after the date of deposit for mailing in affidavit.  
 35  (Federal) I declare that I am employed in the office of a member of the bar of this  
 36 Court at whose direction the service was made.

37 Executed on April 21, 2008, at San Diego, California.

38 s/Tina Lemay  
 39 TINA LEMAY